

TRANSCRIPT OF PROCEEDINGS BEFORE
THE SENATE OF THE STATE OF TEXAS
EIGHTY-SECOND LEGISLATURE
(COMMITTEE OF THE WHOLE SENATE)
AUSTIN, TEXAS

IN RE: §
§
CONSIDERATION OF §
SENATE BILL 14 §

COMMITTEE OF THE WHOLE SENATE
TUESDAY, JANUARY 25, 2011

BE IT REMEMBERED THAT AT 8:05 a.m., on Tuesday, the 25th day of January 2011, the above-entitled matter continued at the Texas State Capitol, Senate Chamber, Austin, Texas, before the Committee of the Whole Senate. The following proceedings were reported by Aloma J. Kennedy, Lorrie A. Schnoor and Kim Pence, Certified Shorthand Reporters.

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PAGES 20 - 542

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 affirmed, both in the court case and the Department of
2 Justice? That was my question. Do you have any concern
3 that we will have done all of this debate and work, and
4 certainly to ensure the ballot security, only to be shut
5 down at the Department of Justice, because we are a
6 Section 5 state and what we're offering in your bill is
7 not something that has been approved by the Department
8 of Justice?

9 SEN. FRASER: I have no concern about
10 Senate Bill 14, both going before the U.S. Supreme Court
11 or going before the Department of Justice.

12 SEN. VAN de PUTTE: Thank you, Senator
13 Fraser. I wanted to ask a little bit of your thinking.
14 And in the bill that you have before us, the student
15 identifications were omitted from your list of
16 acceptable documentation. And could you give me the
17 rationale why a student photo identification is not
18 acceptable form of identification?

19 SEN. FRASER: The types of identification
20 we've included are one from a government entity that
21 would identify that person as who they are, that they
22 say they are, they're a valid voter and a citizen of the
23 United States, and these are the ones that we have
24 suggested that would be acceptable.

25 SEN. VAN de PUTTE: So the rationale for

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 not having student identification cards on the list,
2 since you omitted them, is because they aren't issued by
3 a governmental entity?

4 SEN. FRASER: I didn't say that.

5 SEN. VAN de PUTTE: I'm sorry. Can you
6 repeat your answer.

7 SEN. FRASER: I said I did not say that.

8 SEN. VAN de PUTTE: So why were the
9 student identifications -- you explained that the
10 student identifications were omitted from the list of
11 acceptable documentation, because it was not a
12 government entity.

13 SEN. FRASER: The four types of
14 identification that we are offering up we believe are
15 less confusing, they're simpler for both voters and
16 election voters. Everyone knows what they look like.
17 There is a standardization of those, and they all look
18 alike and it would be less confusing for the systems who
19 are accepting the voter IT.

20 SEN. VAN de PUTTE: And, Senator Fraser,
21 one of the provisions in your bill also omits birth
22 certificates from the list of acceptable forms of
23 identification, even though that does come from
24 government entities. And so why is it that birth
25 certificates were omitted?

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. FRASER: Photo ID.

2 SEN. VAN de PUTTE: So only a photo
3 identification. So they would have to --

4 SEN. FRASER: The acceptable photo IDs
5 that are outlined in the bill would be an acceptable
6 form, yes.

7 SEN. VAN de PUTTE: Senator Fraser, do you
8 know right now in the State of Texas, we're able to cast
9 provisional ballots? That's correct, isn't it?

10 SEN. FRASER: I'm sorry. Ask that again.

11 SEN. VAN de PUTTE: Current election law
12 allows Texas voters to cast a provisional ballot. Is
13 that correct?

14 SEN. FRASER: I'm sorry. That is another
15 question I think you should ask the Secretary of State.
16 It is my belief that, but I'm sorry, I don't want to
17 answer that. You can, if you don't mind, ask the
18 Secretary of State.

19 SEN. VAN de PUTTE: Thank you, Senator.
20 Since it's based on Indiana law, do you believe that the
21 State of Texas has a greater minority population than
22 the State of Indiana?

23 SEN. FRASER: I'm not advised.

24 SEN. VAN de PUTTE: To your knowledge,
25 have any studies been done to determine if there has

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 been, under current Texas voter laws, any impact that it
2 would have on affected class of Latino and
3 African-American voters?

4 SEN. FRASER: The bill that I'm laying out
5 today is a model that has been approved by the U.S.
6 Supreme Court, it has been precleared by the Department
7 of Justice in Georgia. It will deter fraud. We're
8 providing free access of cards. And, yes, we believe
9 this will protect confidence in election in making sure
10 only eligible voters are counted.

11 SEN. VAN de PUTTE: Senator Fraser, on the
12 availability of free identification cards, is there a
13 means test, or what sort of proof do citizens have to
14 give to the Department of Public Safety to be able to
15 get a free identification card under your bill?

16 SEN. FRASER: The Department of Public
17 Safety is here as a resources witness. Senator Williams
18 is also here. That's his area of expertise. If you
19 have a question about that, if you would like, I will
20 yield to Senator Williams now or you can wait and ask
21 the DPS when it comes up.

22 SEN. VAN de PUTTE: Well, right now the
23 DPS I don't think gives free IDs. But in your bill,
24 what sort of process or documentation can voters use to
25 get a free identification card, in your bill? What are

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 second of the Secretary of State.

2 SEN. DAVIS: Well, I'm asking you as the
3 bill's author. Are you concerned that there will be an
4 impact to those people who currently cannot fill out
5 Section 8 but can only fill out the attestation clause
6 in Section 9?

7 SEN. FRASER: And again, you're making a
8 reference to Section 8 that -- you know, I'm sorry. I
9 don't -- I'm not -- I don't know what you're referring
10 to. The Secretary of State is the expert in that area.
11 And when you ask that question, I'll be listening and
12 will, you know, listen to the response.

13 SEN. DAVIS: Earlier you talked about the
14 Executive Director from the Carter-Baker Commission, and
15 you cited a statistic, that only 1.2 percent of
16 Americans would be affected by a requirement that a
17 photo ID be required. Correct?

18 SEN. FRASER: I did make that reference,
19 yes.

20 SEN. DAVIS: Are you aware that that was
21 limited to a study of only three states, and Texas was
22 not one of them?

23 SEN. FRASER: Yes, because at that time
24 the Carter-Baker was looking at the states that had
25 issued a photo ID.

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. DAVIS: And would you agree that it
2 may be the case that if I live in one of those three
3 states and it's easier for me to get a driver's license
4 in that state, then I may have a lower percentage of
5 citizens who don't have a photo ID than another state
6 might have where it's more difficult to get a driver's
7 license?

8 SEN. FRASER: I'm not advised.

9 SEN. DAVIS: Are you aware that even in
10 those states, in the 1.2 percentage number, there was a
11 disparate impact that was found on elderly and women and
12 African-Americans in terms of people who actually had
13 the eligible photo ID that's counted in that percentage?

14 SEN. FRASER: I'm not advised.

15 SEN. DAVIS: Does it concern you at all
16 that the bill that we are looking at today, the bill
17 that you filed, might have a disparate impact on women,
18 minorities and senior citizens, possibly disabled people
19 in the State of Texas?

20 SEN. FRASER: The bill that we're filing
21 today I believe will be approved by the U.S. Supreme
22 Court, and also the bill in Georgia was precleared by
23 the Justice Department. So I believe our bill will
24 comply with both of those.

25 SEN. DAVIS: Okay. Well, I'm going to

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 read to you from the Supreme Court opinion, the U.S.
2 Supreme Court opinion when it was reviewing the Indiana
3 law.

4 They acknowledged that there is evidence
5 in the record, in fact, of which we may take judicial
6 notice that indicates that a somewhat heavier burden may
7 be placed on a limited number of persons by virtue of
8 the photo ID requirement. They include elderly persons
9 born out of state, persons who, because of economic or
10 other personal limitations, may find it difficult either
11 to secure a copy of their birth certificate or to
12 assemble the other required documentation to obtain a
13 state-issued ID, homeless persons and persons with a
14 religious objection to being photographed.

15 "If we assume, as the evidence suggests,
16 that some members of these classes were registered
17 voters when the Indiana law was enacted, the new
18 identification requirement may have imposed a special
19 burden on their right to vote. The severity of that
20 burden is, of course, mitigated by the fact that if
21 eligible voters without photo ID may cast provisional
22 ballots, that will ultimately be counted."

23 Are you aware that in the State of
24 Indiana, I can cast a provisional ballot, and the
25 Supreme Court made its decision in terms of whether the

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 burden was constitutionally acceptable, based on the
2 fact in Indiana, I can cast a provisional ballot, and if
3 I attest to the fact that I'm unable to pay for the cost
4 of getting the underlying documents to receive a photo
5 ID, that I do not, in voting my provisional ballot, have
6 to show a photo ID?

7 SEN. FRASER: Senator, my observation is
8 that what you've read from the Supreme Court opinion is
9 a portion of it, but it's a snippet. And it also
10 continues to say that these do not present an undue
11 burden for the person to vote.

12 SEN. DAVIS: That's correct. They said
13 they did not believe that it created a constitutionally
14 prohibited burden, based on the fact that voters in the
15 State of Indiana have the opportunity to vote a
16 provisional ballot even if they don't have a photo ID,
17 if they can show that they were unable to get one,
18 either because of their circumstances as an elderly
19 person or because they're indigent. Does your bill
20 provide a special exception for people under those
21 circumstances to vote a provisional ballot?

22 SEN. FRASER: The bill that I'm moving
23 forward I believe will be approved by the U.S. Supreme
24 Court and will be precleared by the Department of
25 Justice.

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. DAVIS: Okay. Let's look at the
2 things that are required in your bill in terms of a
3 photo ID. And I appreciate what you said earlier. I
4 think it's true. I think if you ask anybody on the
5 street that you might walk up to at this moment in time
6 whether they think it's a good idea for someone to show
7 a photo ID in order to vote, they would probably agree.
8 What they might not understand in agreeing with that,
9 though, are what the requirements are going to be in the
10 State of Texas in order for them to comply with that
11 particular requirement, and they also might not
12 appreciate the challenge and the difficulty that some
13 people may have in supplying that.

14 SEN. FRASER: Senator, this is not rocket
15 science. The people of your district understand very
16 clearly that when they walk into that voting booth, they
17 have to show a photo ID proving they are who they say
18 they are. The people in Fort Worth, that area, I have
19 the polling data -- I believe the number is about --
20 around 90 percent. And of that, that's Republicans and
21 Democrats. So I believe the people that elected you,
22 sent you down here, have said, "We believe that when you
23 go in to vote, you should show identification to prove
24 you are who you say you are." It's a very, very simple
25 concept.

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. DAVIS: Are you aware that in the
2 Indiana law and also in the Georgia law, people are
3 allowed to come and vote with a state-issued student ID
4 if they're attending a state university?

5 SEN. FRASER: I'm not advised.

6 SEN. DAVIS: And your bill does not allow
7 that kind of a photo ID to be used. Is that correct?

8 SEN. FRASER: We have four forms of ID
9 that we have laid out as acceptable. Those are all
10 recognized acceptable forms of identification that we
11 have recommended.

12 SEN. DAVIS: And it does not include that,
13 for the record. Are you also aware that in the Indiana
14 law and in the Georgia law, the ID can be expired and
15 still be utilized, but under the requirements in your
16 bill, that cannot occur?

17 SEN. FRASER: You know, I think our belief
18 is that someone should have a valid ID that has not
19 expired. "Expired" implies it is not valid, and we in
20 Texas believe you should have a valid ID.

21 SEN. DAVIS: What will I do if my driver's
22 license expires the day before I go to vote and I'm not
23 aware of it until I show up at the polling place?

24 SEN. FRASER: And I would ask you, what
25 would happen if you were driving to the polling place

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 with an invalid driver's license? What would happen?

2 SEN. DAVIS: I would get a ticket, but I
3 wouldn't be denied my constitutional right to vote as a
4 legal citizen of the United States.

5 SEN. FRASER: You would not be denied your
6 right to vote. Under this law and under this bill, as
7 you know, if you walk in with an invalid driver's
8 license, you would be allowed to vote. It would be a
9 provision vote, and you would be allowed six days to go
10 back to the place that issues driver's license, get a
11 valid license and come back, and your vote would be
12 counted.

13 SEN. DAVIS: Well, we had a conversation
14 about that earlier in terms of how difficult and
15 challenging -- for some people it actually is -- to be
16 able to comply with that requirement. But let me ask
17 you for a moment, if I bring in a state-issued Texas
18 driver's license and it expired 30 days ago or 60 days
19 ago or a year ago, how does that fail to prove that I'm
20 the person on the card, simply because it has expired?

21 SEN. FRASER: Well, I would ask you the
22 same question. If your driver's license expired 30 days
23 ago, is it acceptable to the patrolman that just stopped
24 you? It's expired.

25 SEN. DAVIS: I'm asking you the question.

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 The reason that we are advocating or you are advocating
2 for photo ID is so that the person who is receiving my
3 ballot can verify that I am the person casting it.

4 Correct?

5 SEN. FRASER: Yes.

6 SEN. DAVIS: And if my driver's license is
7 expired but it's a state-issued driver's license and it
8 has my name and it has my picture on it and my name
9 matches what's on the registrar's -- the precinct rolls,
10 how does that fail to prove that I'm who I am?

11 SEN. FRASER: I think we go back to the
12 word "valid," do you have a valid Texas driver's
13 license?

14 SEN. DAVIS: How does it fail to prove
15 that I am who I am?

16 SEN. FRASER: You don't have a valid Texas
17 driver's license.

18 SEN. DAVIS: And as I said earlier, in
19 Georgia and in Indiana, under the laws that were deemed
20 acceptable by the Supreme Court and the courts in
21 Georgia received preclearance by the Department of
22 Justice, each of those allows some acceptance of expired
23 IDs.

24 I want to talk a little bit about how
25 difficult it is, because I really think every one of us

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. WEST: Were you finished?

2 SEN. FRASER: Yeah.

3 SEN. WEST: Okay. Now, the question,
4 though, that I asked, not -- and I agree with you that
5 most people will say that some form of photo ID is okay.
6 Now --

7 SEN. FRASER: But what --

8 SEN. WEST: Let me -- let me finish. Let
9 me finish, though. Hold on for a second.

10 I would agree with you that, but my
11 question wasn't about their opinion. My question was:
12 Have you conducted any research on how burdens of photo
13 ID requirements may fall disproportionately on racial
14 minorities?

15 SEN. FRASER: And I think the answer to
16 that, if you look at what happened in Indiana and
17 Georgia is a good example because it is a Section 5
18 state. In those states, to our -- to my knowledge,
19 there has not been a single person that has come forward
20 to identify themselves that they were in any way, you
21 know, in -- you know, kept from voting or inconvenienced
22 by voting.

23 So the answer to your question is, that I
24 look at the data that has been collected from the states
25 that have implemented, and they're coming forward. That

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 is the case. Plus the fact that if you ask African
2 Americans or Hispanics in Texas, it's a very
3 straightforward question. When you have 82 percent of
4 the public, the people that you represent, saying, you
5 know, "I think that's a good ideal," I'm having a lot of
6 trouble understanding how -- why you don't understand
7 that.

8 SEN. WEST: Okay. So the answer to my
9 question is, is that you did not conduct any type of
10 research on it other than looked at opinion polls and
11 referenced what went on in other states?

12 SEN. FRASER: No, we've done all --
13 there's been a lot of research done.

14 SEN. WEST: And that's what I was asking.
15 What research have you done --

16 SEN. FRASER: I just explained --

17 SEN. WEST: -- to make that determination?

18 SEN. FRASER: -- to you what we did. We
19 have looked at the experience of other states. And
20 you're going to have witnesses come from some of the
21 other affected states, and you're going to be able to
22 ask that question: Who has come forward in your state
23 and said it's a problem?

24 SEN. WEST: Okay. So you're saying, then,
25 that as a result of experiences in other states and an

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 opinion poll, that that is the sum total of the research
2 that's been done by you in preparation of this bill?

3 SEN. FRASER: Senator, I think the people
4 in your district understand very clearly. If you ask
5 them a direct question, someone you represent, and said,
6 "Do you favor or oppose requiring a valid photo ID
7 before you're allowed to vote," this is -- that's not
8 rocket science.

9 SEN. WEST: Well, the --

10 SEN. FRASER: "Should you be required to
11 show your picture ID when you go into vote?" That's --
12 that's -- to me, that's -- that's, you know, pretty
13 telling.

14 SEN. WEST: Well, the great thing about it
15 is, we're going to have an opportunity to do just that.
16 Because guess what? I've got a few people from my
17 district down here to testify, so you'll have an
18 opportunity to ask them that. Okay?

19 SEN. FRASER: Good.

20 SEN. WEST: But, again, that's the sum
21 total of your research, though. Right?

22 SEN. FRASER: I didn't say that was the
23 sum total of my research.

24 SEN. WEST: Now, would you agree that
25 Texas has a larger proportion of minorities than

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 Indiana?

2 SEN. FRASER: Not advised.

3 SEN. WEST: So if -- if the demographic
4 information that we have from the U.S. Department of
5 Census indicated that, you would not disagree with that.
6 Correct?

7 SEN. FRASER: Well, I mean, every state
8 has a different demographic of the makeup of people
9 within the state.

10 SEN. WEST: Sure. I know that, yeah.

11 SEN. FRASER: Georgia is a -- you know,
12 they're -- they're a Section 5 voter rights state, but
13 their makeup is not exactly like Texas.

14 SEN. WEST: That's the point. That's what
15 I'm asking you. You said you weren't advised, so I was
16 just trying to point to you some set of facts that all
17 of us commonly know that we get from the Department of
18 Census, U.S. Department of Census. And if they give
19 different demographic information for the states, then
20 that would probably be controlling, and you would agree
21 that that's the best evidence that we have of what the
22 population is in those various states. That's all I'm
23 asking. Now, let me ask this.

24 SEN. FRASER: But you're trying to answer
25 my question, and I did not say that.

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. WEST: No, I'm not. But are the
2 forms of identification listed in your bill the least
3 restrictive options in order to achieve the goal of
4 avoiding what you call voter identification fraud?

5 SEN. FRASER: Okay. You're going to have
6 to ask that again.

7 SEN. WEST: Are the forms of
8 identification that you've listed in the bill the least
9 restrictive options in order to achieve the goal of
10 avoiding what you have said is voter identification
11 fraud?

12 SEN. FRASER: And I think what you're
13 asking, which is going to be the easiest to use? And
14 the -- the data, if you look back at 2006, the number of
15 people that have registered to vote, about -- I think
16 the number now is 91 percent actually use their driver's
17 license when they registered to vote. So the assumption
18 is at least 91 percent of the people that voted -- or
19 that registered since 2006 had a driver's license. So
20 I'd say that's the -- if it's the -- the easiest thing,
21 I'd say a driver's license.

22 SEN. WEST: So this -- the list of
23 identifications that you use as the -- is the least
24 restrictive options that you could come up with?

25 SEN. FRASER: Well, I don't -- I'm not

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 sure. Your verbiage you're using, I don't know that
2 that's the intent.

3 SEN. WEST: Well --

4 SEN. FRASER: I'm saying that the thing
5 that the -- the type of identification that is most
6 readily available appears to be a driver's license.
7 It -- we think, that is.

8 SEN. WEST: Okay. Now, since there are
9 studies that show that African Americans and Hispanics
10 are more affected by poverty and --

11 SEN. FRASER: Ask him, then.

12 We're trying to figure out if this is a
13 filibuster.

14 SEN. WEST: Is it a what?

15 SEN. FRASER: A filibuster?

16 SEN. WEST: Oh, no, this is serious
17 business. This is serious business.

18 SEN. FRASER: I guess I would remind you
19 that the information that was put into the record this
20 morning by Senator Huffman, the questions you've gone
21 over, I believe we put these --

22 SEN. WEST: Well, at any -- at any point,
23 you can defer to whomever you want to answer the
24 question.

25 SEN. FRASER: No, no, I'm saying --

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. WEST: You've been referring to the
2 Secretary of State.

3 SEN. FRASER: -- these -- the questions --
4 the questions you're asking, the question and the answer
5 are already in the record from two years ago; that
6 you're asking the exact same question, and I'm answering
7 the exact same answer. It's already in the --

8 SEN. WEST: And it may very well be. I
9 just don't remember. I haven't gone back and read that
10 entire record. It was like 26 hours. So if I'm being a
11 little bit redundant, please give me -- give me a little
12 space on that.

13 Let me go back to the questions I'm
14 asking. Studies have shown that African Americans and
15 Hispanics are more affected by poverty and, therefore,
16 are more likely to participate in government benefit
17 programs. Will the elimination of the government
18 documents as a form of ID disproportionately affect
19 African Americans and Hispanics?

20 SEN. FRASER: I'm not advised.

21 SEN. WEST: Okay. If in fact -- well, let
22 me back up and ask you this question.

23 Do you agree that African Americans and
24 Hispanics are disproportionately affected by poverty in
25 the state of Texas?

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. FRASER: Not advised.

2 SEN. WEST: Okay. Do you --

3 SEN. FRASER: I grew up in a pretty poor
4 family, so --

5 SEN. WEST: Well, that's what I know, and
6 correct me if I'm wrong because we've had our
7 conversations. Your father was a minister, too. Right?

8 SEN. FRASER: Minster and --

9 SEN. WEST: Okay. He went to a lot of
10 African American churches?

11 SEN. FRASER: Yes, he did.

12 SEN. WEST: Did a little singing and stuff
13 like that?

14 SEN. FRASER: Yes.

15 SEN. WEST: Okay. And do you represent a
16 district that has a high poverty level -- or excuse
17 me -- a high ethnic minority population?

18 SEN. FRASER: Interestingly -- well, and
19 what you call high, it is not one of the highest
20 percentage wise of ethnic minority. But the last figure
21 I was shown, my district is the third poorest district
22 in the state, right behind Senator Uresti's. That
23 that -- that number is a couple of year's old, but
24 I'm -- you know, the --

25 SEN. WEST: Okay.

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. FRASER: -- people in my district
2 are -- are the working poor.

3 SEN. WEST: Okay. The -- the protected
4 classes, that would be an African American and
5 Hispanics, do you have a high concentration of African
6 Americans and Hispanics in your district?

7 SEN. FRASER: Well, I don't know what
8 you'll call a high percentage. I've got --

9 SEN. WEST: Okay. Comparatively speaking.

10 SEN. FRASER: There -- there are a lot of
11 my voters in my district that, you know, I'm -- I love
12 to say "my constituents" -- that are African American or
13 Hispanic.

14 SEN. WEST: Are they in poverty or what?
15 I mean, you know what poverty is.

16 SEN. FRASER: Well, Senator, if --

17 SEN. WEST: Oh.

18 SEN. FRASER: If I have the third poorest
19 district in the state, that implies that we have some
20 people that are working poor.

21 SEN. WEST: Let me just ask you this
22 question.

23 Do you know whether or not the elimination
24 of the government documents that have hereto before been
25 utilized by voters for identification purposes at the

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 polls --

2 SEN. FRASER: Issued before?

3 SEN. WEST: Yeah, I mean, under current
4 law. Let me back up, then.

5 Based on current law and the various
6 government identifications that can be used for purposes
7 of voting, by eliminating those, whether they have an
8 adverse impact on ethic minorities in the state?

9 SEN. FRASER: Let me -- let me tell you
10 that the people in my district voted -- or they're
11 polling that they -- 92 percent of them say that they're
12 in favor of this -- this requirement.

13 SEN. WEST: Okay. So you don't -- and
14 that's your response to my question?

15 SEN. FRASER: My response is, is that I
16 think the people of the state of Texas, which makes
17 up -- I think it was 83 percent of -- of African
18 Americans and 85 percent of Hispanics, said that they're
19 in favor of it. I'm sorry. It's 82 percent Hispanic --
20 I'm sorry -- Hispanic, 80 -- 83 percent Hispanic, the
21 African American, which is -- it's listed as a black
22 vote, is 82 percent say they are in favor of asking for
23 a photo ID.

24 So it's -- it's -- this is a pretty easy
25 question for them, "Should you have to show your -- your

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 photo ID, your driver's license, when you come in to
2 vote?" And they said, "Sure. That's" -- you know,
3 "That's fair."

4 SEN. WEST: And that's your response to my
5 question?

6 SEN. FRASER: Yes.

7 SEN. WEST: Okay. No more questions at
8 this time.

9 SEN. FRASER: Thank you, Senator.

10 CHAIRMAN DUNCAN: Chair recognizes Senator
11 Lucio for questions.

12 SEN. LUCIO: Thank you, Mr. Chairman.

13 Senator Fraser, under this legislation,
14 there are no exceptions at all if you do not have a
15 driver's license -- and correct me if I'm wrong --
16 military ID, citizenship certificates, or passports.
17 Now, not even Senate IDs are appropriate for the
18 purposes of voting. That means the state employee
19 working in the building wishing to cast a ballot during
20 early voting at the Sam Houston Building couldn't use a
21 combination of their voter registration card and their
22 Senate ID. Further, this bill's requirements for
23 identification are stronger than what's used for new
24 employees in obtaining driver's license, the way we
25 understand it.

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. FRASER: -- of the ballot, making
2 sure that the person that is trying to vote is who they
3 represent to be.

4 SEN. ELLIS: And if that's the case, why
5 wouldn't you apply a voter -- photo voter identification
6 requirement to mail-in ballots? Don't you think there's
7 probably room for more fraud for the mail-in ballots?

8 SEN. FRASER: I will support you a hundred
9 percent. You file that bill, you come forward with it,
10 and we'll talk about it. But this bill does not in any
11 way address mail-in ballots. This is only in-person
12 voter --

13 SEN. ELLIS: But you -- but you will
14 concede that there's probably room, just from a
15 layperson's perspective? Neither you nor I are experts
16 on it, and I'm just asking you to make the point. Will
17 you concede that there's room -- there's potential for
18 more fraud with a mail-in ballot than with somebody
19 showing up?

20 SEN. FRASER: I'm going to concede that
21 the bill that I'm laying out today will help a lot with
22 the in-person, you know, potential of fraud, and it will
23 make sure the person there is -- is who they say they
24 are.

25 SEN. ELLIS: If you just had to guess,

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CONSIDERATION OF SENATE BILL 14 1/25/2011

1 to accomplish. Is that right?

2 SEN. FRASER: Yes.

3 SEN. WILLIAMS: The other thing that I
4 wanted to correct, for the record, Senator Watson opined
5 earlier that a lot of this funding for these items had
6 been struck in the budget, and actually, I went back and
7 pulled a copy of the budget. I had not looked at this
8 part, and so there were some budget riders that had
9 expired and that were no longer relevant in the current
10 budget. Those were struck. And under Strategy B.1.4,
11 under elections improvement, administer Federal Help
12 America Vote Act, we actually have, it looks like, a
13 total of about \$43 million over the next biennium that's
14 been appropriated in the budget that Senator Ogden laid
15 out for us earlier. So I just wanted to clear that up
16 for the record because that's kind of been a moving
17 target.

18 Another question that I had for you was
19 the -- I wanted to go back, if I could, and -- and just
20 touch on what my understanding after hearing all this
21 questioning that's gone on, what your -- the purpose of
22 your bill is -- really is to deter and detect fraud
23 in-person voter fraud at the polls. Is that correct?

24 SEN. FRASER: That is correct.

25 SEN. WILLIAMS: Okay. And has the United

CONSIDERATION OF SENATE BILL 14 1/25/2011

1 SEN. WILLIAMS: So a year from now. So
2 we've got a lot of time to let these people know what's
3 coming.

4 And then the other thing I've heard a lot
5 about is current law, and, you know, there's been a lot
6 of discussion. In fact, a lot of what we've talked
7 about is what's actually on the books right now, and
8 your bill is not touching any of that top side or
9 bottom. Really, most of what you do is very limited by
10 changing what the requirements are when you come to the
11 polls. Is that correct? There's not any other real
12 substantive change to election law here.

13 SEN. FRASER: We're only addressing the --
14 the actual in-person voting and the identification
15 required when somebody votes in person. We're not
16 addressing mail-in ballots or any of the other
17 provisions. It's just that one section.

18 SEN. WILLIAMS: Well, thank you for
19 allowing me to question you about this and I appreciate
20 you bringing this issue before us and I especially
21 appreciate the fortitude that you've shown during this
22 long debate. Thank you.

23 SEN. FRASER: Thank you, Senator.

24 CHAIRMAN DUNCAN: Chair recognizes Senator
25 Shapiro.